Ruby and Oswald:

CBS presents a clouded window on history

By George Leopold

With a total disregard for the evidentiary base and its obligation to the viewing public, the CBS television network last week aired its latest offering on the 14-year-old unsolved murder of President John F. Kennedy. It was entitled **Ruby and Oswald.**

Billed as "the true story-from sworn testimony," this, the third program produced by CBS on the Kennedy assassination, represents what has become network and perhaps media policy on this issue -- to misinform the American public and to falsify history.

In two previous "documentaries" on the JFK assassination, the first in 1967 and a second in 1975, CBS consistently misrepresented the factual base and in several instances, such as with its faked reconstruction of the President's shooting, lied about its test results in order to support the official lone gunman story. Thus, with an impressive record for obfuscation behind it, CBS's **Ruby and Oswald** purported to reveal "the stories of the people who played the most crucial roles in the drama...every scene has been drawn from sworn testimony."

Yet, when it is examined in relation to the evidentiary base, this "drama" proves to be nothing more than fiction. Indeed, it had almost nothing to do with the assassination of President Kennedy.

Several examples of CBS's arbitrary use and misuse of sworn testimony and other evidence will illustrate this point.

The program opened by noting the whereabouts and activities of President Kennedy, Lee Harvey Oswald and Jack Ruby on Thursday, November 21, 1963, the day before the assassination. It then showed Oswald, an employee of the Texas School Book Depository in Dallas, asking a fellow employee, Buell Wesley Frazier, for a ride to Irving, Texas, that evening to visit his wife who lived there with friends.

Frazier, according to CBS, replied, "How come you're going home today, instead of Friday?"

Oswald: "Curtain-rods. I've got to get some for my place in town."

The sinister implication here was that Oswald lied about the curtain-rods and was making an unprecedented trip to Irving in order to pick up the rifle which he would use to shoot the President the following day. However, CBS failed to inform the viewer of the fact that Oswald was known to have made other trips between Dallas and Irvin during various parts of the week that broke this assumed pattern.

The most reasonable explanation for the trip to Irving was that Oswald told the curtain-rod story to conceal the fact that he wanted to visit his wife in order to clear up marital problems. CBS only alluded to this possibility. In any event, it is crucial to note that Oswald's room in Dallas did need curtain-rods. On the day after the assassination, a journalist went to Oswald's boarding house and found the owners hammering rods into the wall. Not surprising, CBS erroneously showed Oswald's room with curtains.

The point may seem minor, but it was a vital aspect of the official case against Oswald; CBS took the bait -- hook, line and sinker.

On the morning of the assassination, Oswald returned to Dallas with Frazier. According to CBS, Oswald brought with him a package which just happened to be the size of a fully assembled rifle. This was nothing more than a good, old-fashioned lie! Frazier, a highly reliable witness whose sworn testimony CBS claims to have based **Ruby and Oswald** upon, stated uncategorically that the package Oswald carried on the morning of the assassination was about the length of Owald's arm -- approximately two feet. Frazier based this on his observation of Oswald carrying the package with one end cupped in his hand and the other under his armpit. True to form, CBS showed Oswald carrying the package to his side. Indeed, it looked so long and bulky that one got the impression that Oswald was carrying a concealed bazooka.

Having waltzed through the assassination sequence, in which CBS claimed three shots were fired in four seconds -- a physical impossibility with a bolt-action rifle supposedly used by Oswald -- we next saw Oswald murder Dallas policeman, J.D. Tippit. In portraying the Tippit killing, CBS chose to ignore the most basic fact about his alleged killer: Oswald could not have gotten from his rooming house to the scene of the Tippit shooting in time to have fired the shots! The government did this only by ignoring the fact that the murder was called in on Tippit's police radio by a passerby, T.F. Bowley, at least five minutes before Oswald could have gotten there. How did CBS confront this problem? They merely ignored this glaring omission and had another witness call it in several minutes later!

"The true story, from sworn testimony?"

The remainder of the program supposedly probes the psyche of the man who shot Oswald, Dallas strip-joint owner Jack Ruby. The program depicts Ruby as basically a decent person with a bad temper. Ruby, we are to believe, had undying respect for "our beloved President Kennedy" and his family. Insults directed at the First Family in Ruby's club got him "in the guts." With so much respect for the President and his wife, it was certainly unusual that the CBS Ruby failed to even attend the Presidential motorcase through Dallas. Clearly, this was a fictionalized portrayal of Ruby who, in reality, appears to have been a mentally unstable, mafia punk.

Although the bulk of **Ruby and Oswald** dealt with Jack Ruby, little of it related to the important question of how the Dallas police allowed him to murder the President's alleged assassin. Indeed, the program appears to have been written in defense of the authorities who failed to protect Oswald and denied him almost all of legal rights while in police custody.

In the 14 years since these events took place, the press and the media in general have failed to accurately present the facts surrounding the JFK assassination. **Ruby and Oswald** only adds to this failure. It is perhaps not an overstatement to say that freedom of speech on this subject does not exist in America today.